IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition No. 1716 (S/S) of 2001
Old Number
Writ Petition No. 4656 of 2000

1. Satya Pal Singh, son of late Phool Singh, Assistant Teacher, Vidya Mandir Intermediate College, Sector – 1, Ranipur, Haridwar.

2. Sheo Hari Sharma, son of late Phool Singh, Assistant Teacher, Vidya Mandir Intermediate College, Sector – 5, Ranipur, Haridwar.

……Petitioners

V e r s u s

1. State of U.P. through Principal Secretary, Secondary Education, Uttar Pradesh, Lucknow.

2. The Director of Education, Secondary Education, Uttar Pradesh, Lucknow.

3. District Inspector of Schools, Haridwar.

4. Vidya Mandir Intermediate College, Sector – 1 and Sector – 5, through its Sachiv, Bharat Heavy Electrical Limited / Educational Management Board, Ranipur, Haridwar

……Respondents

Hon'ble M.M. Ghildiyal, J.

No one is present on behalf of the petitioners.

Sri Paresh Tripathi, learned standing counsel for State of Uttaranchal on behalf of respondent nos. 1 to 3.

By means of this writ petition, petitioners have prayed for the following reliefs:

(a) issue a writ, order, or direction I the nature of Certiorari for quashing the impugned order dated 01.11.1999 Annexure nos. 1 and 2 to this writ petition passed by respondent no. 4.

(b) *issue a writ, order, or direction in the nature of Mandamus commanding the respondents not to superannuate the petitioners on 31.01.2000 and further permit the petitioners to continue in service till the end of academic session.*

(c) *to issue a writ, order or direction in the nature of as this Hon'ble Court may deem fit and proper in the circumstances of the case;*

(d) *Award the cost to the petitioners.*

Vide order dated 01.11.1999, respondent no. 4, passed an order regarding retirement of petitioners from services with effect from 31.01.2000. About six years have passed. By efflux of time writ petition has become infructuous. Otherwise also, Vidya Mandir Intermediate College, Sector – 1 and Sector – 5, Ranipur, Haridwar are private unaided School and for the redressal their grievance, petitioners have alternative remedy to approach Tribunal.

For the reasons recorded above, writ petition is dismissed on the ground of alternative remedy.

(M.M. Ghildiyal, J)

June 17, 2006
SKSharma